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23117
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In re Application of :
HELLBERG, Richard :
Application No.: 10/518,238 :
PCT No.: PCT/SE03/01068 :
Int. Filing Date: 19 June 2003 :
Priority Date: 19 June 2002 :
Attorney Docket No.: 4147-98 :
For: EFFICIENT GENERATION OF RADIO :
FREQUENCY :

DECISION

This decision is in response to applicant's "Request for Corrected Filing Receipt" filed on 16 December 2005 which is hereby **GRANTED** as follows:

A review of the above-captioned application reveals that the DO/EO/US mailed a Notification of Acceptance of Application Under 35 U.S.C. 371 and 1.495 (Form PCT/DO/EO/903) on 29 November 2005 listing a date of receipt of 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) and a date of receipt of all 35 U.S.C. 371 requirements of 25 August 2005. A filing receipt indicating a filing or 371 date of 25 August 2005 was also mailed.

However, applicant claims that these dates are incorrect as the declaration was submitted on 16 August 2005, not 25 August 2005.

A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO. See MPEP § 503.

Applicant has provided a copy of the date-stamped postcard receipt for documents submitted 16 August 2005. The name of the applicant, docket number and the application number are listed on the postcard receipt. The postcard receipt indicates that a "Declaration (1 page) Assignment (2 Pages) Including Cover" were received in the USPTO. The postcard receipt is stamped "OIPE AUG 16 2005" across its face.

Moreover, a review of the file shows that the transmittal letter for the declaration and assignment located in the file is stamped as received on 16 August 2005. Accordingly, applicant has provided *prima facie* evidence that the declaration was received by the USPTO on 16 August 2005.

For this reason, the Form PCT/DO/EO/903 and filing receipt mailed 29 November 2005

are both VACATED.

This application is being forwarded to the DO/EO/US to mail a corrected filing receipt and Form PCT/DO/EO/903 indicating a filing or 371 date, date of receipt of 35 U.S.C. 371(c)(1), (c)(2), and (c)(4), and date of receipt of all 35 U.S.C. requirements of **16 August 2005**.

The application will then be forwarded to Technology Center 2700 for further processing.

A handwritten signature in black ink that reads "James Thomson". The signature is written in a cursive style with a large, stylized "J" and "T".

James Thomson
Attorney Advisor
Office of PCT Legal Administration

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